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<b>APR 27 2016</b>	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

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Attorney for Plaintiffs

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

TAMMY SMITH, individually and as the  
personal representative of Chris Smith,  
Deceased; P.M., a minor by and through her  
Guardian ad Litem; and J.E., a minor by and  
through his Guardian ad Litem;

Plaintiffs,

vs.

NEVADA WEST RECYCLING CORP, a  
Nevada Corporation, STANLEY LEVERS, an  
individual, and DOES 1 through 25,

Defendants.

Case No.: 3:15-cv-00252-HDM-VPC

**MOTION FOR LEAVE TO FILE UNDER**

**SEAL**

Pursuant to LR IA 10-5, Brian A. Gonsalves, Esq., attorney for Plaintiffs TAMMY SMITH, P.M., a minor by and through her Guardian ad Litem, and J.E., a minor by and through his Guardian ad Litem, move this Court for leave to file the *Ex Parte Motion for Order Revoking Approval of Pro Hac Vice Petition* under seal.

These motions are filed ex parte so as to protect the progress of the pending settlement in this matter. It is intended that these motions only be viewed by the Court, Mr. Gonsalves and Mr. Fell at this time. The information and communications provided here and in the *Ex Parte Motion for Order Revoking Approval of Pro Hac Vice Petition* are limited to the minimum necessary to support these motions and do not constitute a waiver of any privileges such as the attorney-client privilege or the work product doctrine, and no such waivers are intended. If

1 defense counsel has inadvertently received a copy of either of these motions, they are instructed  
2 to stop reading immediately.

3 This motion is supported by the papers and pleadings on file in this action, and the  
4 memorandum of points and authorities below.

5 **I. MEMORNDUM OF POINTS AND AUTHORITIES**

6 **1. Standard of Law.**

7 LR IA 10-5 provides:

8 "Unless otherwise permitted by statute, rule or prior Court order, papers filed  
9 with the Court under seal shall be accompanied by a motion for leave to file  
10 those documents under seal, and shall be filed in accordance with the Court's  
electronic filing procedures."

11 **2. Legal Argument.**

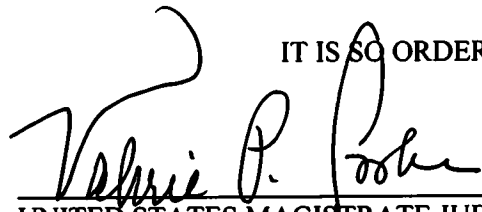
12 During the April 20, 2016, hearing on the *Notice of Disassociation*, the Court directed  
13 Mr. Gonsalves to file his motion seeking the revocation of attorney Bradley Fell's pro hac vice  
14 admission no later than Friday, April 22, 2016. The *Ex Parte Motion for Order Revoking*  
15 *Approval of Pro Hac Vice Petition* contains information and communications between Plaintiffs'  
16 attorneys. In light of the pending settlement and ongoing state of this litigation and so as to  
17 promote the best interests of the clients, it is respectfully requested that the Court grant leave to  
18 file said motion under seal.

19 Dated: April 22, 2016.

20 By: /s/ Brian A. Gonsalves

21 BRIAN A. GONSALVES, ESQ., SBN 9815  
22 Attorney for Plaintiffs

23  
24 IT IS SO ORDERED:

25   
26  
27 UNITED STATES MAGISTRATE JUDGE,  
28

DATED: April 22, 2016

**CERTIFICATE OF SERVICE**

Case No.: 3:15-cv-00252-HDM-VPC

Pursuant to FRCP 5, I certify that I am an employee of, and that on this date I deposited for mailing postage prepaid at Kings Beach, California, a true copy of the **EX PARTE MOTION FOR LEAVE TO FILE UNDER SEAL** addressed to:

Bradley D. Fell, Esq.  
590 Lennon Lane, Suite 120  
Walnut Creek, California, 94598

DATED: April 22, 2016:

/s/ Brian A. Gonsalves, Esq.  
Brian A. Gonsalves, Esq.